

**New Hampshire Racing & Charitable Gaming Commission**  
**Commission Meeting**  
**Concord Office**  
**March 10, 2010**  
**10-04**

Present: Timothy J. Connors, Chairman  
Warren W. Leary Jr., Secretary  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Bernard A. Streeter, Member  
Anthony B. Urban, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Steve Johnston, Supervisor Gaming Operations  
Linda Glaser, Auditor  
Shawn Graham, Auditor  
Charles Saia, Legal Coordinator  
Linda Darrow, Administrative Secretary

In Attendance: Rick Newman, Marlin Torguson, Ralph Anderson, Adam Schmidt, Senator Dick Danais, Jan DiMarzio, George Roberts, Edward Callahan and others.

The Chairman called the meeting to order at 11:00 a.m.

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to approve and place on file the Commission minutes dated February 23, 2010.

The Racing & Charitable Gaming statistics for the fiscal period ending February 28, 2010 were reviewed. On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place on file.

The Games of Chance warning letters spreadsheets were reviewed. Deputy Director Naik stated that all responses have been received. On a motion by Commissioner Urban, seconded by Commissioner Leary and unanimously voted to accept and place on file.

The Games of Chance State Revenue spreadsheet was provided for review. On a motion by Commissioner Streeter, seconded by Commissioner Leary and unanimously voted to accept and place on file.

Legal Coordinator Saia provided a legislative update. Discussion ensued on HB 490. Commissioner Gatsas pointed out that the 2009 purse distribution in Arkansas from historical racing amounted to over \$3.2 million dollars. This was approximately 15% of the track take out. If HB 490 passes, \$12 million dollars in purse money could be realized.

The anonymous letter received regarding Acumark Printing was discussed. Mr. Callahan stated Rockingham is currently conducting a test utilizing Acumark's printed programs and receiving positive customer feedback. He was unaware of any issues with the company but will do further research and report back to the Commission.

Action Items:

- a. *Schedule meeting with Commissioner Barthelmes regarding record checks:* it was decided during the pre-meeting on March 3<sup>rd</sup> that extra care will be taken while processing records checks at the agency and when the new director for the state police has settled in, a meeting will be scheduled with him to discuss the matter.
- b. *Contact Pennsylvania Gaming Control Board relative to regulatory structure:* handout was provided showing the similarities between the Pennsylvania Gaming Board and the Racing and Charitable Gaming Commission.
- c. *Request response from Mr. Callahan on how the state benefits from the Eastern Poker Championship and Salem Boys and Girls Club Tournament:* Mr. Callahan addressed the Commission on the benefits to the state if Rockingham Park hosts the Eastern Poker Championship and Salem Boys and Girls Club Tournament. Discussion ensued. On a motion by Commissioner Streeter, seconded by Commissioner Leary and unanimously voted to endorse the concept and have Mr. Callahan proceed with plans to host the championship. Mr. Callahan will report all revenue made by Rockingham Park to the Commission.
- d. *Obtain copy of Lottery's Fiscal Impact Statement on SB 489:* Copy was provided to the Commissioners.
- e. *Email Legislators on position of the Commission on slot machine revenue:* Draft was reviewed. Discussion ensued. Commissioner Gatsas stated that the optional 1% purse will not recover horse racing in NH. To be competitive with the Mid-Atlantic States, the amount of the purse needs to be closer to 12%. On a motion by Commissioner Gatsas, seconded by Commissioner Urban and unanimously voted to approve draft as written and have Chairman Connors sign it on behalf of the Commission.
- f. *Presentation by Supervisor Steve Johnston on gaming operations:* rescheduled for next Commission meeting.

It was announced that Governor and Council had just confirmed Commissioner Warren Leary Jr. for another three-year term as Commissioner.

Under New Business:

- ❖ Mr. Callahan of Rockingham Park presented a letter to the Commission requesting permission to simulcast without live racing. Discussion ensued. Mr. Jim Bianco representing the WNEPHA (Western New England Professional Horsemen's Association) addressed the Commission with proposals to make live racing possible this season. Discussion ensued. In the end, it was too little too late. On a motion by Commissioner Streeter, seconded by Commissioner Urban and unanimously voted to accept with regret and approve Rockingham's request to conduct simulcast racing without live racing; to make clear that the Commission stands for and supports live racing; the Commission worked and continues to work to recover horse racing; to send a letter to the Governor and the leaders in the legislature on the economic impact that will result; and to work together within this session of the legislature to resolve issues to make live racing possible next year. Commissioner Gatsas stated that the Commission must start now to bring more OTB parlors to the state to increase customers and revenue.
- ❖ Mr. George Roberts asked the Commission to support SB 511. The Commission will take it under advisement.
- ❖ Director Kelley stated that the Gaming Study Commission's next meeting on Tuesday, March 16<sup>th</sup> is to discuss the regulatory structure to be in place if gambling is expanded (New Jersey model). He urged the Commissioners to attend, even though they would not be allowed to comment.

At 12:30 p.m., on a motion by Commissioner Presby, seconded by Commissioner Streeter and by a unanimous roll call vote the Commission voted to adjourn the regular meeting, and go into non-public session as allowed for in RSA 91-A:3 II (b) & (c), to discuss personnel issues.

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Streeter	-	Yes
Urban	-	Yes

At 1:00 p.m., on a motion by Commissioner Urban, seconded by Commissioner Leary and by a unanimous roll call vote the Commission voted to come out of the non-public session and to permanently seal the non-public minutes.

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Streeter	-	Yes
Urban	-	Yes

The next Commission meeting is scheduled for Wednesday, April 7, 2010 in Concord beginning at 11:00 a.m.

The Chairman closed the public meeting at 1:05 p.m.

Respectfully Submitted,

Warren W. Leary, Jr.  
Secretary